



# EPA Region 10 CAA 112(r) Update

Vol. 3 No. 1

Latest News on the Accidental Release Prevention Requirements of the Clean Air Act

Act

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**EPA Region 10 CAA  
112(r) Update  
EPA Region 10, Seattle**

*The Update covers the latest issues related to the Accidental Release Prevention Requirements of the Clean Air Act.*

*To be added to the mailing list, send a message to [mcarthur.lisa@epa.gov](mailto:mcarthur.lisa@epa.gov) or call Lisa McArthur at (206) 553-0383*

### RMP \* SUBMIT

RMP\*Submit is the free, official EPA personal computer software for facilities to use in submitting Risk Management Plans (RMP) required under the Risk Management Program. Portions of the RMP you submit to the EPA will be publicly available on the Internet via RMP\*Info.

#### RMP\*Submit:

- \* Helps you avoid common reporting errors by verifying you have completed all required data elements- using the same completeness check that will be used at the RMP Reporting Center;
- \* Allows you to correct errors before submitting your RMP;
- \* Accepts limited graphics; and
- \* You may submit your RMP to the Reporting Center **at any time before the mandatory reporting date of June 21, 1999.**

Please remember that you may not use the Beta Version of the RMP\*Submit to submit your official RMP. Any official RMPs that are mailed to EPA for the June 21, 1999 compliance date using the Beta version of the RMP\*Submit will not be able to be processed. You may use other software products to submit your RMP. You may also want to use RMP\*Submit for its validation check prior to submission.

#### How to obtain RMP\*Submit:

RMP\*Submit is available free of charge through the National Service Center for Environmental Publications (NSCEP) at US EPA/NSCEP, P. O. Box 42419, Cincinnati, OH 45242-2419.  
Phone: (800) 490 - 9198  
Fax: (513) 489 - 8695

<http://www.epa.gov/epahome/publications>

Please use the following titles and publication numbers:

- \* "RMP\*Submit CD\_ROM" with RMP\*Submit, the User Manual, RM\*Comp and a paper copy of the RMP\*Submit User Manual . EPA publication #550-C99-001.
- \* "RMP\*Submit Diskettes" with RMP\*Submit and a paper copy of the User Manual. EPA publication #550-C99-002.
- \* "RMP\*Submit User Manual" alone. EPA publication #550-B99-001.

#### Technical Assistance

For answers to software questions or solutions to installation problems, contact the RMP Reporting Center: (703) 816-4434.

EPA Data Systems Specialist, Frank Bovee will be also available at (206) 553-0269 to assist with questions on RMP software.

## Recent Changes in the Risk Management Program Rule

EPA recently changed the RMP regulations to:

- (1) Adopt a new system to classify regulated processes;
- (2) Add four mandatory and five optional RMP data elements; and
- (3) Establish specific procedures to protect confidential business information.

#### New Classification System

On January 1, 1997 the United States Government, in cooperation with the governments of Canada and Mexico, adopted a new industrial classification system: the North American Industrial Classification System (NAICS) to replace the SIC codes used to determine Clean Air Act Section 112(r) Program 3 applicable facilities. EPA is replacing nine SIC codes used to determine this applicability with ten NAICS codes.

### New Data Elements

Companies must provide EPA with new mandatory data elements in the registration section of the RMP:

- \* Method to determine and description of latitude and longitude.
- \* CAA Title V permit number (if applicable);
- \* Percentage weight of a regulated toxic substance in a mixture in the offsite consequence analysis and five year accident history, and;
- \* NAICS code for the process that had the release in the accident history.

### Companies can opt to provide EPA with the following:

- \* Name of the Local Emergency Planning Committee (LEPC) for the planning district in which the facility is located;
- \* Notice of the facility's designation as a Star or Merit rating recipient under OSHA's Voluntary Protection Program;
- \* Public contact telephone number for the facility;
- \* Internet homepage address; and
- \* E-mail address of the facility or its parent company

### Confidential Business Information Claims

Certain RMP data elements (including chemical identity and maximum quantity in a process) can be claimed as CBI, if the facility can show that making this information publicly available would divulge trade secrets, either directly or through reverse engineering. Businesses claiming CBI based on the threat of reverse engineering must show how reverse engineering could succeed if someone used RMP information that was unprotected. EPA requires facilities to

substantiate all CBI claims.

### Qualifiers

To qualify for CBI protection:

- \* Data must not be available to the public through other means;
- \* The facility must take appropriate steps to prevent disclosure; and
- \* Disclosure must be likely to cause substantial harm to the facility's competitive position.

Claiming data as CBI must be done at the time of submittal.

## 8-Hour RMP Course Schedule

The dates have been changed for the 8 hour Alaska courses on Risk Management Planning & Section 112(r) of the Clean Air Act. We apologize for any inconvenience this may have caused. The new schedule is:

**May 10 Fairbanks**  
UAF Risk Management and Safety Department  
1000 University Avenue  
Fairbanks, AK 99775

**May 11 Anchorage**  
Joint Regional Environmental Training Center, Room Iliamna  
Building 655, Ft. Richardson Drive  
Ft. Richardson, AK 99505

To register for these (free) courses, fax your name, organization, phone, fax and e-mail to Diane Ruthruff at (206) 553-4672, or e-mail her at [ruthruff.diane@epa.gov](mailto:ruthruff.diane@epa.gov) Upon receipt of these materials, EPA will send you confirmation of your registration. If you have any questions, Diane can be reached at (206) 553-5139, or Lisa McArthur can be reached at (206) 553-0383.

8-hour RMP courses in Washington, Oregon and Idaho are being offered on the following dates:

**March 22 Boise, ID**  
**March 24 Portland, OR**  
**March 25 Seattle, WA**

**March 26 Seattle, WA**  
The Portland course is currently full, but if you wish to be added as a last minute registrant to one of the other courses, contact Diane or Lisa, as above.

Additional, less formal 8 hour courses will be taught where there is sufficient interest. One such course will be taught in Coos Bay, OR on March 24, 1999. You do not need to register for this course, simply contact Bob Strassner at (541) 267-3532 to let him know you would like to attend. If there are additional areas within the region where at least 25 people are interested in attending, contact Lisa at (206) 553-0383 to indicate your interest in hosting a training session.

To keep abreast of training opportunities, check our regional website at <http://www.epa.gov/r10earth/112r.htm>

### Agenda

- The 8 hour RMP course introduces the skills and information needed to meet, implement and use the EPA's new accidental release prevention and risk management programs regulation. It runs from 8:00 a.m. to 4:30 p.m. and covers the following areas:
- Regulation applicability using the regulated substances list, program level determination, and risk management plan development.
  - Risk management program regulations -- including recent modifications and the latest answers to the Frequently Asked Questions.
  - Hazard analysis techniques using the EPA *RMP Offsite Consequence Analysis Guidance*.
  - Release prevention and emergency response -- including prevention techniques and emergency response integrated contingency plans.
  - RMP data elements -- including a case study of an actual RMP.

## CAMEO WINDOWS

Reliable data exchange between Cameo Windows users is now possible. Frank Bovee [EPA, Seattle, WA (206) 553-

0269] has completed and is distributing a free data exchange program. This application package allows transfer of emergency response data between Cameo Windows applications.

## FEMA HAZMAT Update

A monthly update is produced in an effort to keep hazardous materials program personnel up to date in the areas of exercises, training and planning. If you have contributions or wish other items posted in this "Update", or to receive a copy, please contact Mike Hammond at FEMA Region X Hq. at (425) 487-4775 or email [mike.hammond@fema.gov](mailto:mike.hammond@fema.gov)

## Relief to Retail Gas Stations

The final rule raises the gasoline and diesel fuel thresholds that trigger Material Safety Data Sheet (MSDS) reporting and annual chemical inventory reporting under sections 311 and 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA). This final rule promulgates new threshold levels of 75,000 gallons for gasoline and 100,000 gallons for diesel fuel when stored entirely underground at retail gas stations that comply with requirements for underground storage tanks (USTs). These new thresholds are expected to relieve most retail gas stations from reporting gasoline and diesel fuel under these sections of EPCRA. However, gas stations should check with the appropriate state agency to see if they must report under any applicable state law. Retail gas stations meeting these criteria will not have to file gasoline and diesel fuel inventory reports for calendar year 1998 that were due March 1, 1999.

More details on this and other subjects can be found by accessing:  
<http://www.epa.gov/epahome/search.htm>  
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## Risk Management Program Guidance for Warehouses (January 1999)

This guidance document (developed with input from the International Warehouse Logistics Association (IWLA) contains comprehensive RMP implementation guidance for chemical warehouse owner/operators. The guidance includes simplified methods for conducting offsite consequence analyses on regulated substances commonly handled and stored at warehouses, as well as industry-specific information on accident prevention programs.

## Risk Management Program Guidance for Chemical Distributors (January 1999)

This guidance document (developed with input from the National Association of Chemical Distributors (NACD) contains comprehensive RMP implementation guidance for owners and operators of chemical distribution facilities. The guidance includes simplified methods for conducting offsite consequence analyses on regulated substances commonly handled and stored at chemical distribution facilities, as well as industry-specific information on accident prevention programs.

Both of the above RMP Guidance documents can be accessed at EPA Website:  
<http://www.epa.gov/swercepp/acc-pre.html>

## Questions & Answers

**Q: When is my RMP due? Can I submit before the deadline? When do I need to update my RMP?**

**A:** Your RMP must be postmarked by June 21, 1999. The postmark date will be used to determine both initial compliance and your 5-yr. anniversary date for updating. The RMP Reporting Center will record both the postmark date and the date your RMP was received. If the postmark date is illegible, then the postmark date will be left blank in the RMP and the date received will be used for compliance. Both the postmark date and date received will be viewable in RMP\*Info.

You may submit your RMP any time after Jan. 4, 1999.

You must fully update your RMP no later than 5 yrs. after the postmark date of your earliest submission if no changes occur at your facility, or sooner, if any of the changes specified below occur:

- \* Three yrs. after the date when the substance is first regulated by EPA;
- \* The date on which a new regulated substance is first present in an already covered process above a threshold quantity;
- \* The date on which a regulated substance is first present above a threshold quantity in a new process;
- \* Within 6 mos. of a change that requires a revised PHA or hazard review;
- \* Within 6 mos. of a change that requires a revised off-site consequence analysis; and
- \* Within 6 mos. of a change that alters the Program Level that applied to any covered process.

If a change occurs that makes your facility no longer subject to the RMP regulations, within 6 mos. you must submit a revised registration indicating that an RMP is no longer required.

**Q: Will an electronic "form" be issued for submission of RMPs?**

**A:** The electronic "form" for submission of RMPs was made available on Jan. 4, 1999. RMP\*Submit software is available

free of charge through the National Service Center for Environmental Publications @ (800) 490-9198. When you place an order, you will receive a CD-ROM or 4 disks and a User's Manual that includes paper forms. You also can download RMP\*Submit from EPA's Chemical Emergency Preparedness & Prevention Office Homepage at: <http://epa.gov/ceppo>.

**Q: Do I have to include details of my worst-case and alternative release scenario in my executive summary? I'm concerned that the Offsite Consequence Analysis (OCA) data, which will not be posted on the Internet in the OCA sections, will be posted in my Executive Summary.**

**A:** The RMP rule (40 CFR §68.155) requires that you provide in your Executive Summary a "brief description" of "the worst-case release scenario(s) and the alternative release scenario(s), including administrative controls and mitigation measures to limit the distances for each reported scenario." You can meet this requirement by indicating the chemical, the size of the vessel, the type of release event (e.g., vapor cloud explosion in the case of flammables) and any administrative controls or mitigation measures involved in the scenario, and whether the release would have off-site consequences. Beyond that, each facility may decide what, if any, additional information to include in its Executive Summary. The following example is taken from the executive summary of the sample plan of the Model Plan for Propane Users and Small Retailers:

The worst-case release scenario. Our worst-case scenario is failure of one 1,500-gallon storage tank of propane when filled to the greatest amount allowed (88% at 60F), resulting in a vapor cloud explosion. Since this facility is located in a relatively remote, unoccupied area, the worst-case scenario would not affect anyone beyond our property.

Another example for a mitigated toxic release scenario is based on information the RMP Guidance for Wastewater Treatment Plants:

The worst-case release scenario. Our worst-case scenario is failure of an aqueous ammonia storage tank containing 80,000 pounds of 30 weight percent aqueous ammonia. The aqueous ammonia is spilled into a 40 x 40 foot dike, which mitigates the release. Since

this facility is located in a populated area, the toxic cloud formed by the evaporating ammonia would reach offsite endpoints and nearby public receptors.

It is worth noting that the contents of Executive Summaries cannot be queried using RMP\*Info. In other words, users of RMP\*Info cannot ask the program to find, for example, all of the facilities that have reported a worst-case scenario involving a vapor cloud explosion or off-site consequences in their Executive Summaries. This is because the information in the Executive Summary is in a form (nonstandardized text) that RMP\*Info cannot search.

**Q: Some landfills vent methane gas generated by the decomposition of waste materials in the landfill to the atmosphere or burn it in a flare while others collect, compress, store, and use it as a fuel. Are landfills subject to the requirements of the RMP program? And, if so, how should the threshold quantity be determined?**

**A:** Any facility, including landfills, that handles a regulated substance above the threshold quantity is subject to the RMP requirements. In this case, methane is a listed substance and landfills would have to report if they handle more than 10,000 pounds "in a process." A "process" is defined as "any activity involving a regulated substance including any use, storage, manufacturing, handling or on-site movement of such substances, or combination of these activities." In the case of landfills, methane becomes part of a "process" at the point of collection. Consequently, starting at collection points, the facility would need to determine the quantity of methane contained in the collection, venting, or handling equipment. If the quantity is greater than the threshold quantity (10,000 lbs.), then the process is covered under RMP.

**Q: Must the amount of chlorine present in sodium hypochlorite be considered when determining whether a process is subject to the Risk Management**

**Program regulations at 40 CFR part 68?**

Answer: No. The risk management program regulations apply only to processes that contain more than a threshold quantity of one of the specifically listed regulated substances in 40 CFR 68.130. Sodium hypochlorite (CAS # 7681-52-9) is not a listed regulated substance. Elemental chlorine (CAS # 7782-50-5) is a regulated substance. If elemental chlorine (or any other regulated substance) is present in a process, the amount of that substance must be considered when determining whether the process is covered. Sodium hypochlorite does not contain elemental chlorine; rather it is a chemical compound comprised of a chlorine ion bonded to an oxygen atom. Therefore, the amount of the chlorine ion present in sodium hypochlorite should not be considered when determining whether a threshold amount of chlorine is present in a process.

**Q: My process includes a series of interconnected units, as well as several storage vessels that are co-located. Several sections of the process could qualify for Program 1. Can I divide my process into sections for the purpose of assigning Program levels?**

**A:** No, you cannot subdivide a process for this purpose. The highest Program level that applies to any section of the process is the Program level for the whole process. If the entire process is not eligible for Program 1, then the entire process must be assigned to Program 2 or Program 3.

